

RESPONSE UNDER 37 C.F.R. § 1.116
U. S. Application No. 09/839,209

5,903,083), hereinafter referred to as Mukai, and Harris et al. (U.S. Patent No.: 5,793,143¹), hereinafter referred to as Harris. Claims 2 and 3 are rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over USP '582, Iwata, Mukai, and Harris and further in view of Nagayama et al. (U.S. Patent No.: 5,779,453), hereinafter referred to as Nagayama.

Double Patenting Rejections (USP '582 / Iwata/ Mukai/ Harris) Claims 1 and 7-10

To overcome the double patenting rejections of claims 1 and 7-10, Applicant submits herewith a Terminal Disclaimer Under 37 C.F.R. § 1.321(c). *See enclosed Terminal Disclaimer.*

Double Patenting Rejections (USP '582 / Iwata/ Mukai/ Harris / Nagayama) Claims 2 and 3

To overcome the double patenting rejections of claims 2 and 3, Applicant submits herewith a Terminal Disclaimer Under 37 C.F.R. § 1.321(c). *See enclosed Terminal Disclaimer.*

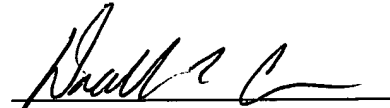
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

¹ The patent number for Harris is mistakenly indicated as USP 5,973,143 in the Office Action.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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